

**CITY COUNCIL MEETING MINUTES**  
**THURSDAY, DECEMBER 27, 2012 – 12:00 NOON**  
**Ocean City Free Public Library, Room N110**

**ATTENDANCE:** Mr. Guinosso, Mr. Hartzell, Mr. McClellan, Mr. Ping, Mr. Wilson and Mr. Allegretto. Also present was Michael Dattilo, Business Administrator. Donald Charles, Esquire sitting in for Ms. McCrosson, City Solicitor. Mr. DeVlieger arrived at 12:05 pm. **ABSENT:** Mayor Gillian

Council President Allegretto called the meeting to order at 12:01 and asked everyone to rise for the flag salute and prayer. He announced the meeting had been advertised in accordance with P.L. 1975, Chapter 231.

**CITIZEN COMMENT** - There was no public comment.

**APPROVAL OF MINUTES**

Mr. Allegretto asked for a motion to adopt the Regular City Council Meeting Minutes of Thursday, December 13, 2012 (all present). Motion moved by Mr. Wilson, seconded by Mr. Ping. VOTE: Mr. Guinosso; Mr. McClellan; Mr. Ping; Mr. Wilson; Mr. Allegretto. Mr. DeVlieger absent for roll call and Mr. Hartzell left the table.

**ORDINANCES: SECOND READING AND PUBLIC HEARING**

Mr. Allegretto asked the clerk to read an announcement of the sale of notes. The clerk read that Mr. Donato certified to the governing body that he has awarded a special emergency note to be dated December 28, 2012 in the amount of \$3,625,000; Ocean City received two bids and the note was awarded to Oppenheimer & Co., Inc at a Net Interest Cost of 0.94%.

Mr. Allegretto asked for a motion to take up Ordinance 12-21 for second reading and public comment. Motion moved by Mr. Hartzell, seconded by Mr. Guinosso. All ayes followed. The clerk read the ordinance by title. **#12-21 - A Bond Ordinance Appropriating \$2,420,000.00 and authorizing the Issuance of \$2,299,000.00 in Bonds and Notes of the City of Ocean City for the Various Improvements or Purposes Authorized to be Undertaken by the City of Ocean City, New Jersey.**

Mr. Donato referred to the Bond as the Sandy Bond and offered an explanation on the use of the Bond that will make improvements in conjunction with the Army Corp of Engineers to replenish beaches, drainage enhancements and related work. Also included is the reconstruction of bay front bulkheads and the Boardwalk ramps railing and stairs. Mr. Donato continued to name the various improvements throughout the City that will benefit from the Bonding to restore and repair items that were destroyed by the Super Storm Sandy. Mr. Donato said the City expects to be reimbursed thru flood insurance, stating all the buildings have separate insurance policies and is working with an adjuster and the insurance agent to get the claims processed. Mr. Donato said the only buildings that were not accounted for in the Bond was City Hall and the 29<sup>th</sup> Street Firehouse.

**PUBLIC COMMENT** – There was no public comment on Ordinance #12-21.

Mr. Allegretto then asked for a motion to adopt Ordinance #12-21 on seconded reading. Motion moved by Mr. Hartzell, seconded by Ping. All ayes followed.

**REPORTS – MAYOR & ADMINISTRATION**

Mr. Dattilo advised the Council members and the public that many people are involved in gathering facts on the release of the Base Flood Elevation maps that were released last week. City officials will come together and determine what the implications are for the community. A meeting with FEMA officials will take place in the early part of the new year to determine what the next step will be. Mr. Dattilo said a full report will be given once more information is available in January. Mr. Dattilo, on behalf of the Mayor he thanked the many donations that were given for those people in need and thanked the many organizations that were responsible to make the holidays brighter for the citizens of Ocean City.

Mr. Ping asked if the Base Flood Elevation Ordinance would be on the agenda for the next Council meeting. Mr. Dattilo responded the Ordinance is being reviewed and is awaiting further advice from Ms. McCrosson, City Attorney.

**REPORTS – CITY COUNCIL** - There were no reports

**RESOLUTIONS – CONSENT AGENDA**

**12-49-078 - #1** - A Resolution to Authorize the Advertisement of Specifications for City Contract #12-69, Supply & Installation of Flooring at the Ocean City Arts Center

**12-49-079 - #2** - A Resolution Authorizing the Award of a Contract between the City of Ocean City and Capri Construction Company, Inc. for the Repair & Restoration of the Music Pier

**12-49-081 - #4** - A Resolution Authorizing the Tax Collector to Cancel any Property Tax Refund or Delinquency of less than \$10.00

**12-49-082 - #5** - A Resolution Canceling Certain 2011 & 2012 Taxes

**12-49-083 - #6** - A Resolution Canceling Certain 2012 Appropriations within the Local Municipal Budget

**12-49-084 - #7** - A Resolution Amending the 2012 Local Municipal Budget of the City of Ocean City/Capital Budget

**12-49-085 - #8** - A Resolution Authorizing the Payment of Claims

**12-49-086 - #9** - A Resolution Authorizing the Extension of City Contract #12-07, Concession Licenses for the Sale of Food, Ice Cream & Beverage Related Products at City Owned Street Ends

**12-49-087 - #10** - A Resolution Authorizing the Usage of Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12(a) & N.J.A.C. 5:34-7.29(c) for the Calendar Year 2013

**12-49-088 - #11** - A Resolution Authorizing the Sale of Abandoned Bicycles & Surplus City Property through Public Auction to be held on Monday, July 22, 2013 (Rain Date: Tuesday, July 23, 2013)

**12-49-089 - #12** - A Resolution Authorizing Change Order #1, Final Acceptance & Final Payment of City Contract #11-26, 2011 Fall Road Program – Phase 3

**12-49-090 - #13** - A Resolution Reappointing Sharon Russell and Michael Petrozza as Members to the Zoning Board of Adjustment

**12-49-091 - #14** - A Resolution Appointing Patricia Miles-Jackson as a Member to the Ocean City Housing Authority

**12-49-092 - #15** - A Resolution Authorizing the Tax Collector of the City of Ocean City to Impose a Municipal Lien Upon the Property Located at 701-703 Eighth Street, Block 704, Lot 10

Mr. Allegretto asked for a motion to adopt the consent agenda. Motion moved by Mr. Ping, seconded by Mr. Hartzell. All ayes followed.

#### **RESOLUTIONS – NON CONSENT AGENDA**

**12-49-080 - #3** - A Resolution Declaring that an Emergent Condition Exists and Authorizing an Award of a Contract to Chester A. Asher, Inc. for the Restoration of the 46<sup>th</sup> St Firehouse (OCFD Station #3).

Mr. Guinosso asked how it was determined to award the bid to the Chester Asher contractor. Mr. Dattilo responded that in an emergent situation it can take steps without going thru the formal bid process. The city does their due diligence before choosing a contractor and many considerations are taken into account before awarding a contract.

#### **PUBLIC COMMENT**

**Roy Wagner – 2834 Wesley Avenue** – Asked if there would be a 100 percent reimbursement to the facilities that were damaged. Mr. Dattilo said a great majority of funds would be reimbursed by FEMA and insurance money, but would take the opportunity to make minor improvements to those facilities damaged.

Mr. Allegretto asked for a motion to adopt Resolution #3. Motion moved by Mr. Hartzell, seconded by Mr. Guinosso. All ayes followed.

#### **PENDING BUSINESS**

Mr. Guinosso said he heard there were neighboring communities that were getting additional sand pumped onto the beaches by the Army Corp of Engineers. Mr. Dattilo said those contracts were awarded prior to the storm as is Brigantine and Ocean City and would hope they would replenish our beaches as well. Mr. Dattilo said since the storm there are hopes that a federal improved replenishment area would be expanded that could be a long term fix for Ocean City's beach replenishments. Mr. Dattilo said the legislators are aware of the City's problems in the south end and reassured city officials they will do everything they can to help those areas in need of a solution.

Mr. McClellan reminded the public to attend a fund raiser at the Flanders. The proceeds will go to OCNJCare that benefit local citizens.

Mr. Hartzell said since the residents from Glen Cove and Snug Harbor neighborhood were in attendance he asked the administration to address the dredging that allocated \$250,000 in the 2013 Capital Plan appropriation. Mr. Dattilo said the disposal sites are a capacity issue but on a positive note, the Route 52 Disposal site is truck accessible, more sites may become available at some point. Mr. Dattilo said the Capital plan is a working document. Policy decisions will need to be discussed in terms of funding for the condo areas. Mr. Dattilo added that the permitting process from the DEP are in place and are good for a 5-year period.

Mr. Hartzell asked if the Martin Luther King Day will go on as usual. Mr. Hartzell said due to the circumstances of this year's disaster, maybe just the ceremony could take place and asked an update.

Mr. Hartzell thanked all the new council people that are doing a great job since the Council-At-Large are not receiving as many phone calls, noting that the Ward Council members are the first defense. He also reminded them that their first budget process is upon them.

Mr. Ping asked when there are low or blow out tides if the harvesting of sand could be done to protect the properties in the south end. He also asked about the mound of sand at the 58<sup>th</sup> Street parking lot. Mr. Dattilo said it will be used to help shore up the berm in that area in the next couple of months until the sea calms down. It will be spread out before the summer season.

### **NEW BUSINESS**

Mr. McClellan wished everyone a Happy New Year and reminded them to attend First Night. Mr. Dattilo said there are still First Night Buttons available.

Mr. Ping said many times New Year's Resolutions are made and forgotten. Mr. Ping and Mr. Wilson will challenge each other to a New Year's Resolution for a weigh-in on January 1<sup>st</sup> and then on July 1<sup>st</sup> to donate \$500 to their favorite charity for the person who loses the most weight. They are inviting anyone else who would like to join them for the challenge to meet at the Music Pier on January 1st at 12:00 noon. Mr. Hartzell said he would donate \$10.00 for every pound lost payable to the charity when the challenge is over.

Mr. DeVlieger suggested that a percentage of pounds be used because of those who may also want to join the challenge. He also spoke about a phone call he received that a resident pledged of \$10,000 was donated to OCNJCare who wanted to remain anonymous.

### **CITIZEN COMMENT**

**Al Keleher, 3304 Haven Avenue** - reminded members of council and administration that the area of 29<sup>th</sup> to 33<sup>rd</sup> Streets are block off due to flooding, suggesting the valves appear to be not working.

**Joe Somerville, 718 Pleasure Avenue** – asked Council and the Administration to be notified before hand when information will be received regarding the dredging capacity of the Route 52 disposal site availability.

**Wendy Smith, Southend Resident** – she was led to believe Stone Harbor and Avalon were floating bonds to replenish their beaches as an add on to save them a million dollars since the dredge was already there. She stated the City was fully aware the beaches were in jeopardy before the hurricane between 56th thru 58<sup>th</sup> Street and she is very concerned that nothing has been done to date.

Mr. Alegretto then asked for a motion to adjourn. Motion moved by Mr. Hartzell, seconded by Mr. Wilson. All ayes followed. The meeting adjourned at 1:00 PM.

---

Sheila Cottrell, Deputy City Clerk